

BILL NO.

SPONSORED BY COUNCILMAN STRUEMPH

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, CHANGING, AMENDING, AND MODIFYING THE ZONING CODE OF THE CITY OF JEFFERSON, BY CREATING NEW ZONING DISTRICTS TO BE NAMED THE MU-1 AND MU-2 MIXED USE ZONING DISTRICTS AND ESTABLISHING STANDARDS AND AUTHORIZED USES THEREOF.

WHEREAS, The Central Eastside Neighborhood Plan calls for the establishment of mixed residential/commercial uses in certain areas; and,

WHEREAS, The establishment of a mixed use zoning district would be of benefit to the City and would further the goal of implementing the Central Eastside Neighborhood Plan; and,

WHEREAS, It appears that the procedures set forth in the zoning code relating to zoning code amendments have in all matters been complied with.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF JEFFERSON, MISSOURI, AS FOLLOWS:

Section 1. The following additions to Chapter 35 – Zoning Code relating to the establishment of the MU-1 and MU-2 Mixed Use zoning districts are hereby approved:

Table of Contents – as required to accommodate changes in page and section numbering.

Section 35-21. Application of zoning district regulations.

- A. The district regulations apply uniformly to each class and type of structure or land, within each district as specified, except as may be provided otherwise within this Ordinance. To carry out the purposes of this Ordinance, the City is hereby divided into ~~five~~ six general classifications of districts.

RU and RC District	Rural Use and Rural Conservation
R Districts	Residential
<u>MU Districts</u>	<u>Mixed Use</u>
C Districts	Commercial
M Districts	Industrial
PUD	Planned Development

Section 35-21.B

- B. The classifications of districts are further divided into the following specific districts:

RU	Rural
RC	Conservation
RS-1	Residential, Low Density Detached
RS-2	Residential, Low Density Detached

RS-3	Residential, Medium Density Detached
RS-4	Residential, Medium Density Detached
RD	Residential, Medium Density Attached
RA-1	Residential, High Density
RA-2	Residential, High Density
N-O	Neighborhood Office
<u>MU-1</u>	<u>Mixed Use</u>
<u>MU-2</u>	<u>Mixed Use</u>
C-O	Office Commercial
C-1	Neighborhood Commercial
C-2	General Commercial
C-3	Central Commercial
M-1	Light Industrial
M-2	General Industrial
PUD	Planned Unit Development

Section 35-23. General standards applicable to all zoning districts.

- A. Authorized Uses. Exhibit 35-28 lists uses authorized and prohibited in the Rural and Conservation Districts: RU and RC; in the Residential Districts: RS-1, RS-2, RS-3, RS-4, RD, RA-1, RA-2 and N-O; and in the Non-Residential Districts: **MU-1, MU-2**, C-O, C-1, C-2, C-3, M-1 and M-2.

Section 35-26. –

Sec. 35-26. Non-residential districts: **MU-1, MU-2**, C-O, C-1, C-2, C-3, M-1, **M-2**

A. MU-1 Mixed Use

- 1. Purpose. The MU-1 District implements the Mixed Use Development Plan Land Use Category. The MU-1 District is intended to provide for a mix of residential, multi-family residential, office, and low impact commercial uses in a neighborhood like setting.**
- 2. Special Conditions. The following special conditions shall apply within the MU-1 District:**
 - a. District Size.**
 - (1) Minimum district size: There is no minimum district size.**
 - (2) Maximum district size: There is no maximum district size.**
 - b. Location and Access Standards: The location of MU-1 districts shall be supported by a neighborhood plan adopted by the Planning and Zoning Commission as a component of the Comprehensive Plan.**
 - c. Use Restrictions: No drive-through uses shall be permitted within the MU-1 district.**

B. MU-2 Mixed Use

- 1. Purpose. The MU-2 District implements the Mixed Use Development Plan Land Use Category. The MU-2 District is intended to provide for a mix of residential, multi-family residential, and pedestrian oriented commercial uses in a business district like setting within the Old Town district.**

2. Special Conditions. The following special conditions shall apply within the MU-2 District:

a. District Size.

(1) Minimum district size: There is no minimum district size.

(2) Maximum district size: There is no maximum district size.

b. Location and Access Standards: MU-2 districts shall be supported by a neighborhood plan adopted by the Planning and Zoning Commission as a component of the Comprehensive Plan.

c. Use Restrictions: No drive-through uses shall be permitted within the MU-1 District.

Scriveners note: Re-letter existing sub-sections to accommodate new sub-sections A and B.

Exhibit 35-28 – See Attachment A

Section 35-40.C.12

12. Automated Teller Machine (ATM) is an authorized accessory use in the RA-1, RA-2, N-O, **MU-1, MU-2, C-O, C-1, C-2, C-3,** M-1 and M-2 districts.

Exhibit 35-51A – See Attachment B

Section 35-51.B.5.j –

- j. Establishment of Side Setback in ~~Residential~~ Districts in Blocks with Varied Side Setback Depths. If 40 percent or more of a frontage is occupied by two or more buildings, then the minimum width of a side setback shall be established in the following manner:

Section 35-53.C. Private Open Space.

1. For multi-family residential developments outside the C-2 General Commercial District **consisting of 8 units or more,** a minimum of 25 percent of the site shall be developed with usable open space throughout the site to provide for active recreational needs of residents. Usable open space excludes parking areas, required landscape areas, land within a designated floodway, and water bodies. Open space shall measure at least 25 feet across its narrowest dimension. Open space may be held in common by owners within the development, or may be privately owned for use by the residents of the development.

Section 35-57.F.

1. Luminaires without cutoffs or light shields. When the light source or Luminaire has no cutoff or shield, the standards of Exhibit 35-57A shall apply:

Exhibit 35-57A. Standards for Luminaires Without Cutoff

Zoning District	Maximum Foot Candles for Illumination of Area	Maximum Height of Luminaire (in Feet)
RU, RC, RS-1, RS-2, RS-3, RS-4, RD, RA-1, RA-2, N-O	0.20	10'
<u>MU-1, MU-2,</u> C-O, C-1, C-3	0.20	15'

C-2, M-1, M-2	0.30	20'
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2. Luminaires with total cutoff angle of 90 degrees or more. When a Luminaire has a total cutoff angle or light shield angle of 90 degrees or more the standards of Exhibit 35-57B shall apply:

Exhibit 35-57B. Luminaires with Total Cutoff Angle 90 Degrees or More

Zoning District	Maximum Foot Candles for Illumination of Area	Maximum Height of Luminaire (in Feet)
RU, RC, RS-1, RS-2, RS-3, RS-4, RD, RA-1, RA-2, N-O	0.50	20'
<u>MU-1, MU-2</u> , C-O, C-1, C-3	0.75	25'
C-2, M-1	1.00	30'
M-2	1.50	35'

3. Luminaires with total cutoff angle of less than 90 degrees. When a Luminaire has total cutoff angle or light shield angle of less than 90 degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, the standards in Exhibit 35-57C shall apply:

Exhibit 35-57C. Luminaires with Total Cutoff Angle of 90 Degrees or Less

Zoning District	Maximum Foot Candles for Illumination of Area	Maximum Height (Feet) of Luminaire
RU, RC, RS-1, RS-2, RS-3, RS-4, RD, RA-1, RA-2, N-O	0.50	20
<u>MU-1, MU-2</u> , C-O, C-1, C-3	2.00	30
C-2, M-1	3.00	40
M-2	4.50	50

Section 35-59.F. Standards for Fences and Walls

2. Standards for Fences and Walls in the RU, RC, RS, RA, **MU-1, MU-2** and N-O Districts.
- Except as modified by Section 35-55 Visual Clear Zone, fences and walls having a height of four (4) feet or less may be located on any part of the lot.
 - Except as modified by Section 35-55, Visual Clear Zone, fences and walls having a height of six feet or less may be erected on those parts of a lot that are as far back or farther back from the street than the front plane of the main building.
 - For through lots (as defined in Section 35-92 and as distinguished from corner lots) fences and walls having a height of six feet or less may extend into the yard area at the rear of the building subject to a minimum 10 foot setback from the right-of-way line or, where houses front said right-of-way, at a setback equal to or greater than houses on adjacent lots, whichever is greater.

Exhibit 35.59A – See Attached Exhibit

Zoning of Proposed New Development or Redevelopment	Zoning of Existing Development														
	RC, RU, RS-1 thru RS-4	RD	RA-1	RA-2	N-O	<u>MU-1</u>	<u>MU-2</u>	C-O	C-1	C-2	C-3	M-1	M-2	PUD Res	PUD Non Res
RC, RU, RS-1 thru RS-4 ²	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
RD	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
RA-1	B	A	-	-	-	-	-	-	-	-	-	-	-	-	-
RA-2	B	A	-	-	-	-	-	-	-	-	-	-	-	-	-
N-O	B	B	B	B	-	-	-	-	-	-	-	-	-	-	-
<u>MU-1</u>	<u>B</u>	<u>B</u>	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>MU-2</u>	<u>B</u>	<u>B</u>	-	-	-	-	-	-	-	-	-	-	-	-	-
C-O	B	B	B	B	B	-	-	-	-	-	-	-	-	-	-
C-1	B	B	B	B	B	-	-	-	-	-	-	-	-	-	-
C-2	C	C	B	B	B	-	-	-	-	-	-	-	-	-	-
C-3	C	C	B	B	B	-	-	-	-	-	-	-	-	-	-
M-1	C	C	C	C	C	-	-	A	A	A	A	-	-	-	-
M-2	C	C	C	C	C	-	-	A	A	A	A	-	-	-	-
PUD Res	-	-	-	-	B	-	-	B	B	B	B	B	B	-	-
PUD Non-Res	B	B	B	B	B	-	-	-	-	-	-	-	-	B	-

Section 35-92. Definitions

Coffee Shop. *(insert definition)*

Tea Room. *(insert definition)*

Event Space. *(insert definition)*

Section 2. The following additions to Chapter 3 – Advertising and Sign Code relating to the establishment of the MU-1 Mixed Use Zoning District are hereby approved:

Section 3-4. On-premise signs

E. Signs for uses authorized in mixed use districts. On premise signs in the MU-1 and MU-2 districts may be erected or constructed after the effective date of this chapter which conform to the provisions of this chapter.

1. On-premise signs for uses listed as a permitted, conditional, or special exception use in MU-1 and MU-2 districts shall be allowed as follows:

- a. Building mounted signage. Building mounted signs may be displayed with a maximum total sign area for a single building as follows:
 - i. MU-1 district: Maximum building mounted signage area of 24 square feet.
 - ii. MU-2 district: Same building mounted signage allowance of the C-2 General Commercial zoning district.
- b. Freestanding Signage. One freestanding sign may be displayed per street frontage with the following dimensions:
 - i. MU-1 district. Maximum freestanding sign size of 24 square feet.
 - ii. MU-2 district. Maximum freestanding sign size of 48 square feet.
- c. Height. Maximum height of signage in mixed use districts shall be as follows:
 - i. MU-1 district. Maximum height of building mounted signage: 20 feet as measured from the grade below the sign. Maximum height of freestanding signage: 4 feet as measured from the ground at the base of the sign.
 - ii. MU-2 district. Maximum height of building mounted signage: 20 feet as measured from the grade below the sign. Maximum height of freestanding signage: 10 feet as measured from the ground at the base of the sign.
- d. Illumination:
 - i. MU-1 district. Signage in the MU-1 district may be externally illuminated by shielded spotlight or non-illuminated. Neon signs and internally illuminated signs are not permitted.
 - ii. MU-2 district. Signage in the MU-2 district may be internally illuminated, externally illuminated, or non-illuminated. Illuminated signs shall not cast more than five (5) foot candles of light at the edge of the property line.
- e. The City Council may grant additional sign area or freestanding signage when reviewing an application for a special exception permit.
- f. The Board of Adjustment may grant additional sign area when reviewing an application for a conditional use permit.
- g. Uses listed as a permitted use in the mixed use districts may apply to the Board of Adjustment for additional sign area; such application shall be processed as a conditional use permit.
- h. Single family homes, duplexes, triplexes, group homes, and community residences are not permitted signage under section 3-4.C.
- i. Schools (as defined in Chapter 35) may display building mounted or freestanding signs. Maximum area of total signage shall not exceed one (1) square foot of signage for each ten (10) feet of street frontage.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

Passed: _____

Approved: _____

Presiding Officer

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Counselor